

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 12/30/2014

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HAPAG-LLOYD AKTIENGESELLSCHAFT, :  
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Plaintiff, :  
:  
-against- :  
:  
U.S. OIL TRADING L.L.C., O.W. BUNKER :  
GERMANY GMBH, O.W. BUNKER & :  
TRADING A/S, ING BANK N.V. AND CREDIT :  
AGRICOLE S.A., :  
:  
Defendants. :  
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14-CV-9949 (VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS, on December 19, 2014, the Court entered an Order enjoining Defendants from instituting or prosecuting any proceeding affecting the property and res involved in the above-captioned interpleader action, including any proceeding to arrest, attach or otherwise restrain any of the subject vessels (Dkt. 5); and,

WHEREAS, on December 22, 2014, Defendant U.S. Oil Trading L.L.C. ("U.S. Oil") filed an Order to Show Cause why the Court's Order of December 19, 2014 should not be vacated or modified (Dkt. 10); and,

WHEREAS, on December 22, 2014, U.S. Oil's Order to Show Cause was heard by Judge Vernon S. Broderick, the Part I Judge, who denied U.S. Oil's request for an order directing that the subject vessels remain in port and adjourned the hearing to December 30, 2014 at 10:00 a.m. (Dkt. 10); and,


WHEREAS, counsel for Plaintiff and U.S. Oil appeared before the Court on December 30, 2014 to present arguments on U.S. Oil's Order to Show Cause; it is hereby ORDERED:

1. U.S. Oil's request that the Court's Order of December 19, 2014 be vacated or modified is DENIED without prejudice to any decision the Court may make following the briefing scheduled in this and related actions pursuant to a separate Order of the Court entered on December 19, 2014 (Dkt. 8). Both parties are encouraged to participate in that briefing.

2. By close of business on December 30, 2014, counsel for Plaintiff shall file, via ECF, a short letter to the Court noting any case law or other legal authority in support of Plaintiff's argument that U.S. Oil does not have a valid maritime lien against the subject vessels.
3. By close of business on December 31, 2014, counsel for U.S. Oil shall file, via ECF, a short letter in response, noting any case law or other legal authority in support of U.S. Oil's position that it has a valid maritime lien against the subject vessels.

**SO ORDERED.**

**Date: December 30, 2014**  
**New York, New York**

  
**VALERIE CAPRONI**  
**United States District Judge**